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PCT/KR2004/001606

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference APF-059	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/KR2004/001606	International filing date(day/month/year) 01 JULY 2004 (01.07.2004)	Priority date (day/month/year) 04 JULY 2003 (04.07.2003)	
International Patent Classification (IPC) or national classification and IPC IPC7 G06K 9/00			
Applicant PARK, Kwang-Don			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 23 DECEMBER 2004 (23.12.2004)	Date of completion of this report 19 OCTOBER 2005 (19.10.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer PARK, Sung Ho Telephone No. 82-42-481-5724 

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/001606

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☒ This report is based on translations from the original language into the following language English which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☒ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished

- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____

- ☐ the claims:
- pages _____ as originally filed/furnished
- pages* _____ as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____

- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____

- ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/001606

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 19	YES
	Claims	None	NO
Inventive step (IS)	Claims	12 - 19	YES
	Claims	1 - 11	NO
Industrial applicability (IA)	Claims	1 - 19	YES
	Claims	None	NO

2. Citations and explanations (Rule 70.7)

1) Inventive Step

The following documents have been considered for the purpose of this written opinion:

D1: KR 2002-0085144 A (16 November 2002)

D2: US 4,767,205 A (30 August 1988)

The present invention relates to a random-type recognizing object for an identifying apparatus wherein identification particles are distributed irregularly within a 3D shape and a positional value and a characteristic value of the identification particles distributed within the 3D shape in one or plural directions are recognized by separate recognizing means, and an identification apparatus and method using a random type recognition object whose reproduction is impossible.

D1 relates to a method for confirming the genuineness of a product, comprising the following steps : a user receives a code issued from a code issuing system and attaches the said code to a product; a receiver of it recognizes the said code and accesses a central processing system and confirms the genuineness of the product.

D2 relates to a method of hidden identification by mixing micro-sized particles of the various colors and sizes with a solid material such as resin and using the mixture as an only identifier.

*** To be continued at the page of the supplemental box ***

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

*** Continuation of the box V ***

Box V.

The following are comparisons between the present invention and the cited inventions above:

The technical features of D2 related to a random-type identifying material and the technical features of D1 related to the confirmation of the genuineness of a product by using an identifying material are similar to those of the claims 1-11 of the present invention. A little difference between the present invention and the invention of D1 is that the random-type identifying material is used in the present invention, whereas a code is used in D1. However, these features of the present invention are disclosed in D2.

Accordingly, it would be obvious to a person skilled in the art to make a random-type identifying material to confirm the genuineness of a product of the present invention easily, by combining the technical features of D1 and the teachings of D2.

Consequently, the characterizing features of the claims 1-11 of the present invention are considered not to involve an inventive step under PCT Article 33(3).

2) Novelty and Industrial Applicability.

The claims 1-19 in the present invention are considered to be novel and industrially applicable under PCT Article 33(2) and 33(4).